

*f. Rosen, mfg*

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK, STATE OF ARIZONA,  
STATE OF CALIFORNIA, STATE OF  
CONNECTICUT, STATE OF ILLINOIS, STATE  
OF MAINE, COMMONWEALTH OF  
MASSACHUSETTS, STATE OF MINNESOTA,  
STATE OF NEW HAMPSHIRE, STATE OF NEW  
JERSEY, COMMONWEALTH OF  
PENNSYLVANIA, DEPARTMENT OF  
ENVIRONMENTAL PROTECTION, STATE OF  
RHODE ISLAND and STATE OF VERMONT,

Plaintiffs,

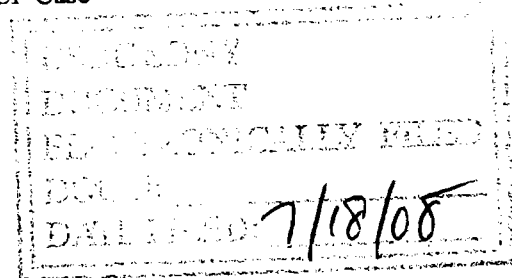
v.

STEPHEN L. JOHNSON, in his official capacity as  
Administrator of the U.S. Environmental Protection  
Agency, and the U.S. ENVIRONMENTAL  
PROTECTION AGENCY,

Defendants.

Case No. 1:07 cv 10632 (BSJ) (DCF)

ECF Case



**STIPULATION AND ORDER REGARDING BRIEFING SCHEDULE FOR  
THE PARTIES' SUMMARY JUDGMENT MOTIONS**

Plaintiffs the State of New York, the State of Arizona, the State of California, the State of Connecticut, the State of Illinois, the State of Maine, the Commonwealth of Massachusetts, the State of Minnesota, the State of New Hampshire, the State of New Jersey, the Commonwealth of Pennsylvania, Department of Environmental Protection, the State of Rhode Island and the State of Vermont (collectively, the "Plaintiff States") and defendants Stephen L. Johnson, as Administrator of the U.S. Environmental Protection Agency, and the U.S. Environmental Protection Agency (collectively, "EPA"), by their attorneys, respectfully submit this stipulation of the parties and order regarding a schedule for briefing the Plaintiff States' motion for summary

judgment (the "Plaintiff States' motion") and EPA's cross-motion for summary judgment ("EPA's cross-motion").

1. The Plaintiff States shall file and serve the opening papers on the Plaintiff States' motion no later than September 19, 2008.

2. EPA shall file and serve the opening papers on EPA's cross-motion, and the answering papers on the Plaintiff States' motion, no later than November 25, 2008.

3. The Plaintiff States shall file and serve the reply papers on the Plaintiff States' motion, and the answering papers on EPA's cross-motion, no later than January 16, 2009.

4. EPA shall file and serve its reply papers on EPA's cross-motion no later than February 13, 2009.

Dated: July 15, 2008

Respectfully submitted,

*For the Plaintiffs:*

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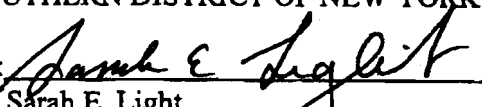
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SO ORDERED: 7/17/08

  
The Honorable Debra Freeman  
United States Magistrate Judge